IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICKEY CASTILLO,	:	
	:	**Civil Case No. 3:13-CV-02953**
Plaintiff	:	
	:	
v.	:	**Judge Mariani**
	:	**Magistrate Judge Schwab**
TROOPER CHRISTOPHER	:	
MAGUIRE, ET AL.	:	
Defendants	:	**FILED ELECTRONICALLY**

MOTION TO DISMISS THE COMPLAINT

Defendants, Trp. Jeffrey Lamm, Cpl. William Langman, Trp. Christopher Maguire, Sgt. Michael Minsavage, Christopher B. O'Brien, and Joseph Prula, by and through their attorneys, hereby move under Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss the Complaint against them in the above-captioned action.

A brief in support of this motion will be filed in accordance with the Local Rules.

WHEREFORE, the Defendants respectfully request that the Court grant

their Motion to Dismiss the Amended Complaint.

Respectfully submitted,

KATHLEEN G. KANE
Attorney General

By: _s/ Maryanne M. Lewis_

MARYANNE M. LEWIS
Office of Attorney General   Senior Deputy Attorney General
15ᵗʰ Floor, Strawberry Square   Attorney ID 83812
Harrisburg, PA 17120
Phone: (717) 787-9719   GREGORY R. NEUHAUSER
Fax: (717) 772-4526   Chief Deputy Attorney General
mlewis@attorneygeneral.gov   Chief, Civil Litigation Section

Date: May 15, 2014   Counsel for ALL Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICKEY CASTILLO,	:	
	:	**Civil Case No. 3:13-CV-02953**
Plaintiff	:	
	:	
v.	:	**Judge Mariani**
	:	**Magistrate Judge Schwab**
TROOPER CHRISTOPHER	:	
MAGUIRE, ET AL.	:	
Defendants	:	**FILED ELECTRONICALLY**

CERTIFICATE OF SERVICE

I, Maryanne M. Lewis, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on APRIL 15, 2014, I caused to be served a true and correct copy of the foregoing document titled MOTION TO DISMISS THE COMPLAINT by FIRST CLASS MAIL to the following:

Mickey Castillo, JQ9639
SCI-Smithfield
P.O. box 999
1130 Pike Street
Huntingdon, PA 16652

/s/ *Maryanne M. Lewis*
MARYANNE M. LEWIS
Senior Deputy Attorney General